

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff

V.

BRANDON LAMAR PRUITT,

Defendant

Case No.: 2:16-cr-00285-APG-NJK

## Order Setting an Evidentiary Hearing for Defendant's Motion to Vacate Sentence

[ECF No. 296]

Over the course of two trials, Brandon Lamar Pruitt was convicted of sex trafficking of a minor, transporting a minor for prostitution, being a felon in possession of a firearm, and witness tampering. ECF Nos. 136; 192; 276. Pruitt filed a motion to vacate his sentence under 28 U.S.C. § 2255 claiming that his counsel was ineffective and that his conviction for unlawful possession of a firearm was unconstitutional. ECF No. 277. I denied Pruitt's constitutional claim and all but two of his ineffective assistance of counsel claims. ECF No. 296. I granted Pruitt an evidentiary hearing on his claims that: (1) counsel did not explain the sentencing consequences of Pruitt's options nor the elements of the crimes for which he was charged, and (2) counsel did not engage in sufficient plea negotiations between Pruitt's trials, despite his request for counsel to negotiate with the government. *Id.* Based on the parties' joint status report (ECF No. 301),

I ORDER that the motion to vacate sentence (ECF No. 277) is set for an evidentiary hearing on Tuesday, April 23, 2024 at 9:00 a.m. in courtroom 6C in Las Vegas. The parties will arrange for Pruitt to be transported to this district with sufficient time to prepare for the hearing.

DATED 17<sup>th</sup> day of January, 2024.

ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE